

212(a) of the Immigration and Nationality Act shall not apply, and the Secretary may, in his unreviewable discretion, waive the grounds of inadmissibility specified in paragraphs (1)(A)(i) and (6)(C) of such section 212(a) for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest; and

(E) the alien applies for such adjustment before April 1, 2006.

(2) **ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.**—

(A) **IN GENERAL.**—In accordance with regulations to be promulgated by the Secretary and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of the alien granted such status may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, if the spouse or child—

(i) meets the requirements in subparagraph (A) and (D) of paragraph (1); and

(ii) applies for such a visa within a time period to be established by regulation.

(B) **FEES.**—

(i) **IN GENERAL.**—The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved.

(ii) **AMOUNT; AVAILABILITY.**—Fees collected under this subparagraph—

(I) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

(II) shall be available until expended for the same purposes of such appropriation to support consular activities.

(e) **ADMINISTRATIVE REVIEW.**—The Secretary shall provide to applicants for adjustment of status under this section the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255); or

(2) aliens subject to removal proceedings under section 240 of such Act.

(f) **LIMITATION ON JUDICIAL REVIEW.**—A determination by the Secretary as to whether the status of any alien should be adjusted under this section is final and shall not be subject to review by any court.

(g) **NO OFFSET IN NUMBER OF VISAS AVAILABLE.**—If an alien is granted the status of having been lawfully admitted for permanent residence or an immigrant classification under this section, the Secretary of State shall not be required to reduce the number of immigrant visas authorized to be issued under any provision of the Immigration and Nationality Act.

(h) **APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.**—

(1) **DEFINITIONS.**—Except as otherwise specifically provided in this section, the definitions contained in the Immigration and Nationality Act shall apply in this section.

(2) **SAVINGS PROVISION.**—Nothing in this section shall be construed to repeal, amend, alter, modify, effect, or restrict the powers, duties, function, or authority of the Secretary in the administration and enforcement of the Immigration and Nationality Act or any other law relating to immigration, nationality, or naturalization.

(3) **EFFECT OF ELIGIBILITY FOR ADJUSTMENT OF STATUS.**—Eligibility to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude an alien from seeking any sta-

tus under any other provision of law for which the alien may otherwise be eligible.

(i) **ADMISSIONS.**—Nothing in this section shall be construed as authorizing an alien to apply for admission to, be admitted to, be paroled into, or otherwise return to the United States, or to apply for or pursue an application for adjustment of status under this section without the express authorization of the Secretary.

**SA 453.** Mr. CRAIG (for himself, Mr. BAUCUS, Mr. ROBERTS, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after "SEC." in the matter proposed to be inserted and insert the following:

\_\_\_\_\_. (a) Notwithstanding any other provision of law, beginning in fiscal year 2005 and thereafter, none of the funds made available by this or any other Act shall be used to pay the salaries or expenses of any employee of any agency or office to implement or enforce section 908(b)(1)(A) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)(A)) or any other provision of law in a manner other than a manner that permits payment by the purchaser of an agricultural commodity or product to the seller, and receipt of the payment by the seller, at any time prior to—

(1) the transfer of the title of the commodity or product to the purchaser; and

(2) the release of control of the commodity or product to the purchaser.

(b) Notwithstanding any other provision of law, beginning in fiscal year 2005 and thereafter, none of the funds made available by this or any other Act shall be used to pay the salaries or expenses of any employee of any agency or office that refuses to authorize the issuance of a general license for travel-related transactions listed in subsection (c) of section 515.560 of title 31, Code of Federal Regulations, for travel to, from, or within Cuba undertaken in connection with sales and marketing, including the organization and participation in product exhibitions, and the transportation by sea or air of products pursuant to the Trade Sanctions Reform and Export Enhancement Act of 2000.

(c) Notwithstanding any other provision of law, beginning in fiscal year 2005 and thereafter, none of the funds made available by this or any other Act shall be used to pay the salaries or expenses of any employee of any agency or office that restricts the direct transfers from a Cuban financial institution to a United States financial institution executed in payment for a product authorized for sale under the Trade Sanctions Reform and Export Enhancement Act of 2000.

**SA 454.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document se-

curity standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 8 and 9, insert the following:

REPORT ON AFGHAN SECURITY FORCES TRAINING

SEC. 1122. (a) Notwithstanding any other provision of law, not later than 60 days after the date on which the initial obligation of funds made available in this Act for training Afghan security forces is made, the Secretary of Defense, in conjunction with the Secretary of State, shall submit to the appropriate congressional committees a report that includes the following:

(1) An assessment of whether the individuals who are providing training to Afghan security forces with assistance provided by the United States have proven records of experience in training law enforcement or security personnel.

(2) A description of the procedures of the Department of Defense and Department of State to ensure that an individual who receives such training—

(A) does not have a criminal background;

(B) is not connected to any criminal or terrorist organization, including the Taliban;

(C) is not connected to drug traffickers; and

(D) meets certain age and experience standards;

(3) A description of the procedures of the Department of Defense and Department of State that—

(A) clearly establish the standards an individual who will receive such training must meet;

(B) clearly establish the training courses that will permit the individual to meet such standards; and

(C) provide for certification of an individual who meets such standards.

(4) A description of the procedures of the Department of Defense and Department of State to ensure the coordination of such training efforts between these two Departments.

(5) The number of trained security personnel needed in Afghanistan, an explanation of how such number was determined, and a schedule for training that number of people.

(6) A description of the methods that will be used by the Government of Afghanistan to maintain and equip such personnel when such training is completed.

(7) A description of how such training efforts will be coordinated with other training programs being conducted by the governments of other countries or international organizations in Afghanistan.

(b) Not less frequently than once each year the Secretary of Defense, in conjunction with the Secretary of State, shall submit a report to the appropriate congressional committees that describes the progress made to meet the goals and schedules set out in the report required by subsection (a).

(c) In this section the term "appropriate congressional committees" means the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on Armed Services, and the Committee on International Relations of the House of Representatives.

**SA 455.** Mr. COBURN submitted an amendment intended to be proposed by